

REMARKS

In accordance with the foregoing, claims 1, 2, 7, 8, 11, 16, 17, and 20 are amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 5, 10, 13-15, and 18-19 are cancelled without prejudice or disclaimer. Claims 1-4, 6-9, 11-12, 16-17, and 20 are pending and under consideration. Reconsideration is respectfully requested.

ENTRY OF AMENDMENT UNDER 37 CFR §1.116

Applicant requests entry of this Rule 116 Response because it is believed that the amendment of claims 1-4, 6-9, 11-12, 16-17, and 20 puts this application into condition for allowance and should not entail any further search by the Examiner since no new features are being added or no new issues are being raised.

Claims 1, 7, 11, 16, 17, and 20 are amended, to included features of cancelled dependent claim 10, cancelled herein. Dependent claims 2 and 8 are amended accordingly.

PAGE 2: REJECTION OF CLAIMS 5 AND 10 UNDER 35 U.S.C. §112, SECOND PARAGRAPH

The Examiner rejects claims 5 and 10 under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 5 and 10 are cancelled herein without prejudice or disclaimer.

However, the features of claim 10 are included in each independent claims 1, 7, 11, 16, 17, and 20, as amended, and Applicant submits that the Examiners concerns regarding claims 5 and claim 10 are addressed in these amendments.

For example, the Examiner contends:

the second sales information is part of the received purchase information (defined by Applicant in claim 1). Examiner, first finds the claim confusing since it is unclear how to extract information from the first storing part when it is not stored in the first storing part.

Applicant points out that the independent claims, as amended, distinguish, using claim 1 for example, between "a first sales information" that is stored in a first storing part and "a first information of the purchase information."

The Examiner contends that it is not understood "how retrieving information that identifies the seller is utilized by the present invention." Applicant submits that such a retrieving assists in distinguishing a number of deals between sellers. (See, for example FIG. 13, and pages 22-24 starting at line 20).

The Examiner also contends that "Applicant does not clearly define what a minimum and a maximum deal are determined." (Action at page 3). Applicant submits that using claim 1 as

an example, a method extracts "a range of values of the second deal identifying information between a minimum value of the second deal identifying information to a maximum value of the second deal identifying information." (See, for example, page 12, starting at line 5 that discusses "When detecting that the total key is pressed in step S003, the CPU 30 increments the deal number by "1" in step S007. If the deal number before the increment is the maximum value of the deal number (for instance, "999"), the CPU 30 sets the deal number to "1" in this step S007."

Applicant submits that pending claims are definite and comply with 35 U.S.C. §112.

PAGES 2-6: REJECTION OF CLAIMS 1-4, 6-9, 11-12, 16-17, and 20 UNDER 35 U.S.C. 102(E) AS BEING ANTICIPATED BY QUINLIN AT AL. (U.S.P. 6,748365)

Claims 1-4, 6-9, 11-12, 16-17, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Quinlin at al.

As set forth in MPEP §706.02 entitled Rejection on Prior Art, anticipation requires that the reference must teach every aspect of a claimed invention.

Applicant submits that Quinlin does not support an anticipatory-type rejection by not describing features recited in the present application's independent claims.

Independent claims 1, 7, 11, 16, 17, and 20 recite respectively a purchase information collecting method, a purchase information collecting program, purchase information collecting apparatus, and a method performed by a computing system, using claim 1 as an example, including "extracting sales information containing a first information of the purchase information from said first storing part upon the second sales information included in the received purchase information not being stored in the first storing part, including a range of values of a second information between a minimum value of the second information to a maximum value of the second information; storing the purchase information as invalid purchase information in the second storing part upon the second information of the purchase information having a value that is within the range of values between the minimum value of the second information and the maximum value of the second information; and storing the purchase information as unidentified validity purchase information in the second storing part upon the second information of the purchase information not having a value within the range of values."

That is, according to an aspect of the present invention a determination is made as to the validity of sales information, and information, e.g., an identifier is stored indicating whether the information is invalid or of unknown validity. (See, for example FIG. 13, operations S507, 507, and 508, and pages 22-24 starting at line 20).

Applicant submit that these features are not taught by Quinlan. Rather, Quinlan merely teaches (see, for example col. 10, starting at line 15):

a fulfillment administrator then processes the purchase data record and the associated stored data record to validate the rebate claim, such as by using computerized software operated by or on behalf of the fulfillment administrator.

That is, Quinlan merely teaches a validation of a rebate claim. Quinlan does not teach, for example, storing the purchase information as unidentified validity purchase information in a second storing part upon the second information of the purchase information not having a value within the range of values.

CONCLUSION

Since features are recited claims 1-4, 6-9, 11-12, 16-17, and 20 are not taught by the cited art, the rejection should be withdrawn and the claims 1-4, 6-9, 11-12, 16-17, and 20 allowed.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: Paul W. Bobowiec
Paul W. Bobowiec
Registration No. 47,431

1201 New York Ave, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501